

REMARKS

Claims 1-19 are pending in this application.

Claims 1 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Eskandari et al. (U.S. 2002/0133471). Claims 2, 4, 5, 9, 11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. Claims 3 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. in view of Choksi et al (U.S. 6,477,243). Claims 6, 13, 15, 16 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. in view of Montgomery et al. (U.S. 2003/0101148). Claims 7 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. in view of Shaw et al. (U.S. 2002/0176111). Claim 17 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. in view of Montgomery et al. and further in view of Choksi et al. Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eskandari et al. in view of Montgomery et al. and further in view of Shaw et al. Reconsideration is respectfully requested.

Claim 1 is directed to a method for a mailing machine to change operational features that comprises “establishing a communication link with a remote data center via a network; receiving from the remote data center, via the communication link, a directory file, the directory file including an indication of all operational features that should be enabled within the mailing machine, each of the operational features having at least one associated operating file required to implement the operational feature; determining if an operating file stored in a memory of the mailing machine is not associated with an operational feature indicated in the directory file; and deleting any operating files stored in the memory of the mailing machine that are not associated with an operational feature indicated in the directory file, wherein deletion of any operating file stored in the memory of the mailing machine that is not associated with an operational feature indicated in the directory file disables an operational feature with which the deleted operating file is associated.”

Eskandari is directed to a system for customizing a computerized system having a plurality of operating features. A franking system 11 includes operating features 12 which are not to be enabled for use. The system can be configured and the operating features 12 can be enabled and/or disabled by the entry of an authorization code 14. The authorization code can be generated based on the operating features selected by the customer.

In Eskandari, a currently enabled operating feature 32 can be selected to be disabled. The independent parameter 470 representing the enabled operating feature 32 can be removed from the franking system's parameter set 458. The secondary parameters 472 and dependent parameters 476 are selected based on the updated parameter set 458. A new authorization code is generated based on the updated parameter set 458, and is entered into the franking system 11. The enabled operating feature 32 is then disabled, and unavailable for use in the franking system 11. (Paragraph [0061]).

Thus, in Eskandari an operating feature is simply disabled. Note, however, that in Eskandari, there is no disclosure, teaching or suggestion of "deleting any operating files stored in the memory of the mailing machine that are not associated with an operational feature indicated in the directory file" as in the present invention. There is a difference between disabling a feature, i.e., making it non-operational, and deleting operating files stored in a memory. Simply disabling a feature in Eskandari does not delete operating files stored in a memory, it only operates to make the feature unavailable for use. In fact, Applicants respectfully submit that Eskandari expressly teaches away from deleting operating files. As noted in paragraph [0035] of Eskandari, with the use of the authorization code 14 to enable and disable the operating features 12 of the franking system 11, the franking system 11 can be upgraded or downgraded at any point in the distribution chain without providing additional hardware or software for the franking system. In Eskandari, if the operating files for a disabled feature were deleted from the memory, then in order to enable that feature it would be necessary to provide the software for that feature. This clearly goes against the teachings of Eskandari.

There is no disclosure, teaching or suggestion in Eskandari of "deleting any operating files stored in the memory of the mailing machine that are not associated with an operational feature indicated in the directory file" as in the present invention.

None of the other references relied upon cure the above deficiencies, as they were relied upon for other features.

For at least the above reasons, Applicants respectfully submit that claim 1 is allowable over the prior art of record. Claims 2-7, dependent upon claim 1, are allowable along with claim 1 and on their own merits.

Claims 8 and 15 include limitations substantially similar to those of claim 1. For the same reasons given above with respect to claim 1, Applicants respectfully submit that claims 8 and 15 are allowable over the prior art of record. Claims 9-14 and 16-19, dependent upon claims 8 and 15, respectively, are allowable along with claims 8 and 15 and on their own merits.

In view of the foregoing remarks, it is respectfully submitted that all claims are in condition for allowance and favorable action thereon is requested.

Respectfully submitted,

/Brian A. Lemm/
Brian A. Lemm
Reg. No. 43,748
Attorney for Applicants
Telephone No.: (203) 924-3836

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
Shelton, CT 06484-8000